

EXHIBIT E



**Both cops involved in
shooting death of Kimani**

Gray, 16, in East Flatbush named in federal lawsuits

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Sergeant Mourad Mourad was one of the police officers involved in the shooting death of Kimani Gray, 16, in East Flatbush on March 9, 2013.

The NYPD sergeant and cop involved in the fatal shooting of Brooklyn 16-year-old Kimani Gray have been named in five federal lawsuits —

which cost the city a total of \$215,000 in settlements, court records show.

Sgt. Mourad Mourad racked up three suits while he was a plainclothes cop on Staten Island, and Officer Jovaniel Cordova racked up two at Brooklyn's 70th Precinct — all alleging various civil rights violations including illegal stop and search and false arrest.

Prosecutors later dismissed all but one of the arrests against the six plaintiffs, and the criminal cases were sealed.

Mourad and Cordova had been placed on desk duty while the NYPD and the Brooklyn district attorney's office continue to investigate the circumstances surrounding the March 9 shooting in East Flatbush that has since sparked riots. Police Commissioner Raymond Kelly has said Gray was shot after he pointed a .38-caliber revolver at the sergeant and cop, who had approached a group of youths on the street.

A woman who told the Daily News she witnessed the shooting from her apartment window said Gray did not have a gun in his hand. But she previously told Internal Affairs investigators she couldn't see what the kids were doing "from the angle I was at."

Carol Gray, mother of Kimani Gray, 16, killed by police after he allegedly pulled a gun Saturday night, talked about the lingering doubts about the police story at Councilman Charles Barron's office in East NY Brooklyn yesterday.
(Todd Maisel/New York Daily News)

The settlements in the prior cases ranged from \$20,000 to \$92,500, with no admission of wrongdoing by the city.

"Our clients' interactions with Sgt. Mourad and Officer Cordova expose a disturbing pattern of unconstitutional and aggressive stop-

and-frisk practices," said lawyer Brett Klein, who filed four of the five suits.

"In each case, Mourad and Cordova attempted to cover up their misconduct by falsifying and fabricating evidence."

The suits are:

Carol Gray does not believe her son could have been armed in the confrontation with police, though a woman identifying herself as his cousin said he was trying to alert police that he was carrying a gun for someone else when they shot him. "No, no, not Kimani," the boy's mother said when asked if he was armed. (Todd Maisel/New York Daily News)

- Derek Franks received a \$92,500 settlement for a suit against Mourad and other unidentified cops, alleging he was illegally stopped and frisked on May 7, 2007. He spent four months in Rikers Island until charges were dropped.
- Andre Maraj and Dary Harville each received \$22,500 settlements, which alleged they were falsely arrested by Mourad and others. Harville claimed he was "slammed" into a car.
- Jontel Sebborn received \$20,000 stemming from his arrest after a car stop. He was ordered out of the car by Mourad and others, who frisked him and pulled his pants and underwear.

"You can take me to the precinct but you're not going in my underwear here," Sebborn told the cops, says the complaint.

Kimani Gray, 16, with his mother Carol Gray. Kimani was killed by police after he allegedly pulled a gun on March 9, 2013. (Todd Maisel/New York Daily News)

- Peter Owusu pocketed \$22,500 for the "emotional distress" he suffered as a result of a car stop and arrest by Cordova. Owusu claims

he was placed facedown in a puddle and handcuffed. He later pleaded guilty to disorderly conduct.

- Steve Morency got \$35,000 after accusing Cordova of an illegal stop inside an E. 17th St. building. Morency claimed he was punched in the face and needed three stitches to close a cut above his eye.

Klein said Mourad racked up the suits when he was assigned to an aggressive anti-crime unit.

Both Mourad and Cordova had each been involved in a previous shooting, which were deemed to be within department guidelines.

"None of these civil claims were tried, and the officers were not found to have engaged in any wrongdoing. The decision to settle should not be held against them. The settlements were not large by legal standards, as they included attorney's fees," said city lawyer Muriel Goode-Trufant.

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